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SIMTEK6218

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of  
Kenji, Nagai

App. No.: 09/682642  
Filed: October 1, 2001  
Conf. No.: 3686  
Appcal No. 2005-2437  
Title: STARTER MOTOR FOR  
INTERNAL COMBUSTION  
ENGINES  
Examiner: D. Le  
Art Unit: 3686  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

I hereby certify that this correspondence and all  
marked attachments are being deposited with  
the United States Patent Office via fax to  
(571) 273-8300 on:

August 29, 2005

Ernest A. Beutler  
Reg. No. 19901

08/30/2005 TL0111 00000018 09682642

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400.00 OP

Dear Sir:

**PETITION TO SUSPEND UNDER 37 CFR 1.17(f)**

This is in response to the remailed Notice of Non-compliance, dated August 29, 2005.

Applicant's undersigned attorney understood the necessity to request the oral hearing in a separate paper so labeled and the paper objected to was so labeled. However the undersigned wanted to call the Board's attention that the Examiner's Answer included reference to a piece of art not relied upon in the Examiner's Answer to avoid the Board setting a hearing date and then noticing the Examiner's action and having to remand the case to the Examiner for further action, wasting everyone's time. This was not intended to be a separate matter but was believed by the undersigned to directly affect the Oral Hearing request. Please rest assured that the undersigned will not make such an error in the future and this was not done with any intent to ignore the Rules. It is most respectfully requested that justice requires that Applicant should not be denied his right to an Oral Hearing for this relatively minor error.

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A credit card authorization for the Petition Fee is attached.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Ernest A. Beutler', with a long horizontal stroke extending to the right.

Ernest A. Beutler

Reg. No. 19901

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